

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PRINCETON DIGITAL IMAGE CORPORATION,)
PLAINTIFF,)
v.)
HEWLETT-PACKARD COMPANY, FUJIFILM) CASE NO.: 1:12-CV-00779-RJS
NORTH AMERICA CORPORATION F/K/A)
FUJIFILM U.S.A., INC. AND XEROX)
INTERNATIONAL PARTNERS,)
DEFENDANTS.)

)

**SUPPLEMENTAL RESPONSE TO DEFENDANTS'
MOTION TO STAY**

Plaintiff, Princeton Digital Image Compression (“PDIC”) herein supplements its response to Defendants’ Motion to Stay this case pending re-examination of U.S. Patent Nos. 4,860,103 (“the Azam patent”) and 4,813,056 (“the Fedele patent”)[Docket No. 234] .

The predicate for Defendants’ motion to stay is the alleged uncertainty of the outcome of reexamination of both the Azam and Fedele patents. At the March 16, 2011 hearing, claims 8, 20 and 23 of the Fedele patent had by then been confirmed by the U.S. PTO after reexamination.

PDIC has recently received confirmation from the PTO that *all* claims of the Fedele patent have now been confirmed. (See Exhibit “A” to the Declaration of Terry Parker).

At the March 16th hearing, the Court inquired as to whether, if the case were to proceed on then then confirmed claims of the Fedele patent, if discovery would be limited in scope. While PDIC has not yet received notice that the claims of the Azam patent have likewise been confirmed, the products accused of infringement under the Fedele patent subsume a smaller set of products accused under the Azam patent. The recent confirmation of all claims of the Fedele

patent confirms that discovery, if allowed to proceed, would be unrestricted in scope as to all products accused of infringement in this case. .

For the reasons set forth in PDIC's initial response, as supplemented above, there remains no basis for a stay to be entered in this case.

Dated: May 11, 2012

By: /s/ Gregory M. Luck

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that pursuant to Fed. R. Civ. P. 5(d) all counsel of record were served with a true and correct copy of the foregoing by CM/ECF Electronic Service on this the 11th day of May, 2012.

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